

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MARY ANN SUSSEX, et al.,

Plaintiffs,

v.

TURNBERRY/MGM GRAND TOWERS,
LLC, et al.,

Defendants.

Case No. 2:08-cv-00773-MMD-PAL

ORDER

On January 8, 2014, Plaintiffs filed a Motion for Certification regarding the Court's December 31, 2013, Order disqualifying Arbitrator Brendan Hare ("Disqualification Order"). (Dkt. no. 142.) On January 17, 2014, Plaintiffs filed a Petition for Writ of Mandamus as to the Disqualification Order. (Dkt. no. 144.) Plaintiffs' Emergency Motion to Stay Actions Pending Resolution of Appeal Certification and Writ Petition ("Emergency Motion") asks the Court for an order "staying the actions" pending resolution of the Motion for Certification and the Petition for Writ of Mandamus. (Dkt. no. 147.) The Court has not ruled on the Motion for Certification or the Emergency Motion.

On January 28, 2014, Plaintiffs filed a Notice of Appeal as to the Disqualification Order. (Dkt. no. 157.) "The filing of a notice of appeal is an event of jurisdictional significance – it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal." *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982) (per curiam). In light of the Notice of Appeal, the Court directs supplemental briefing from the parties on the following: (1)

1 whether the Court has jurisdiction to stay the arbitration proceedings as requested in the
2 Emergency Motion; (2) whether the Court has jurisdiction to consider the Motion for
3 Certification; and (3) whether the Motion for Certification is rendered moot by Plaintiffs'
4 pursuit of direct appeal even assuming the Court has jurisdiction.

5 The parties have seven (7) days to submit their supplemental briefs.

6 Dated this 30th day of January 2014.
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A handwritten signature in black ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

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9 MIRANDA M. DU
10 UNITED STATES DISTRICT JUDGE
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